

031104
0805UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents

Attorney Docket No.	16660
First Inventor or Application Identifier	C. David Gordon
Title	Toothbrush Assembly with Toothpaste Dispenser
Express Mail Label No.	EV 329824687 US

MAIL STOP PATENT APPLICATION
Commissioner for Patents
ADDRESS TO: P. O. Box 1450
Alexandria, VA 22313-1450

1. *Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant claims small entity status.
(See 37 CFR 1.27)
3. Specification [Total Pages 11]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 USC 113) [Total Sheets 4]
5. Oath or Declaration [Total Pages 2]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
[Note Box 5 below]
6. Application Data Sheet. See 37 CFR 1.76
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS		
9.	<input type="checkbox"/> Assignment Papers (cover sheet & documents)	
10.	<input type="checkbox"/> 37 CFR §3.73(b) Statement	<input checked="" type="checkbox"/> Power of Attorney (when there is an assignee)
11.	<input type="checkbox"/> English Translation Document (if applicable)	
12.	<input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations
13.	<input type="checkbox"/> Preliminary Amendment	
14.	<input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)	
15.	<input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	
16.	<input type="checkbox"/> Request and Certificate under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach Form PTO/SB/35 or its equivalent	
17.	<input type="checkbox"/> Other: _____	

18. If a CONTINUATING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

 Continuation Divisional Continuation-in-part (CIP)

of prior Application No. 10 / 420,384

Prior application information: Examiner D. Walczak

Group/Art Unit 3751

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Label or Correspondence address below

04859

PATENT TRADEMARK OFFICE

Name	William J. Clemens, Esq.		
Address			
City			Zip Code
Country	Telephone	734/542-0900	Fax
Name (print/type)	William J. Clemens		Registration No. (Attorney/Agent)
Signature			Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231
c:\671\16660.sb05.doc

Certificate of Mailing by Express Mail

"Express Mail" Mailing Label No. EV 329824687 US Date of Deposit March 11, 2004. I hereby certify that this paper or fee is being deposited in the United States "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Terri L. Fox

19270 U.S. PTO
10/798113

031104

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. PTO

FEE TRANSMITTAL

For FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 385)

Complete if known

Application Number	
Filing Date	
First Named Inventor	C. David Gordon
Examiner Name	
Group/Art Unit	
Attorney Docket No.	16660

METHOD OF PAYMENT (check one)

 Check Credit Card Money Order Other None Deposit Account:Deposit Acct. No. 13-0005

Deposit

Acct. Name MacMillan, Sobanski, & Todd, LLC

The Commissioner is authorized to: (Check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this action
 Charge fee(s) indicated below, except the filing fee, to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Entity Fee Code (\$)	Small Entity Fee	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	385	
1002 340	2002 170	Design filing fee		
1003 530	2003 265	Plant filing fee		
1004 770	2004 385	Reissue filing fee		
1005 160	2005 80	Provisional filing fee		

SUBTOTAL (1) \$ 385

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		Fee from	Extra Below	Fee Paid
Total Claims	17	20** = 0	18/9 =	
Independent Claims	3	3** = 0	x 86/43 =	
Multiple Dependent			x 290/145 =	

Large Entity Fee Code (\$)	Entity Fee Code (\$)	Small Entity Fee	Fee Description
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	**Reissue independent claims over original patent	
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) \$ 0

** or number previously paid, if greater; for Reissues, see above

3. ADDITIONAL FEES

Large Fee Code (\$)	Entity Fee Code (\$)	Small Fee	Entity Fee	Fee Description	Fee Paid
1051 130	2051	65		Surcharge - late filing fee or oath	
1052 50	2052	25		Surcharge - late provisional filing fee or cover sheet	
1053 130	1053	130		Non-English specification	
1812 2,520	1812	2,520		For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804	920*		Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805	1,840*		Requesting a publication of SIR after Examiner action	
1251 110	2251	55		Extension for reply within 1 st month	
1252 420	2252	210		Extension for reply within 2 nd month	
1253 950	2253	475		Extension for reply within 3 rd month	
1254 1,480	2254	740		Extension for reply within 4 th month	
1255 2,010	2255	1,005		Extension for reply within 5 th month	
1401 330	2401	165		Notice of Appeal	
1402 330	2402	165		Filing a brief in support of an appeal	
1403 290	2403	145		Request for oral hearing	
1451 1,510	1451	1,510		Petition to institute a public use proceeding	
1452 110	2452	55		Petition to revive – unavoidable	
1453 1,330	2453	665		Petition to revive – unintentional	
1501 1,330	2501	665		Utility issue fee (or reissue)	
1502 480	2502	240		Design issue fee	
1503 640	2503	320		Plant issue fee	
1460 130	1460	130		Petitions to the Commissioner	
1807 50	1807	50		Petitions related to provisional applications	
1806 180	1806	180		Submission of Information Disclosure Statement	
8021 40	8021	40		Recording each patent assignment per property (times number of properties)	
1809 770	2809	385		Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810	385		For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801	385		Request for Continued Examination	
1802 900	1802	900		Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$ 0

SUBMITTED BY				Complete (if applicable)
Typed or Printed Name	William J. Clemens			Reg. No. 26,855
Signature			Date March 11, 2004	Deposit Account User ID

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1800-786-9199) and select Option 2.

**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	C. David Gordon
Title	Toothbrush Assembly with Toothpaste Dispenser
Atty Docket Number	16660

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires the publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

March 11, 2004

Date



Signature

734/542-0900

Telephone Number

William J. Clemens

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the U. S. Patent and Trademark Office to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing and submitting the completed application form to the U. S. Patent and Trademark Office. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
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